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PATENT, TRADEMARK, COPYRIGHT AND UNFAIR COMPETITION LAW AND RELATED LITIGATION

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## **FACSIMILE COVER SHEET**

TO:

U.S. Patent & Trademark Office

Examiner: Amanda R. Flynn

Art Unit: 3743

FROM:

Kurt L. Grossman, Esq.

DATE:

August 5, 2004

RE:

Serial No. 09/753,355

Filed: December 29, 2000

Applicant: William F. Pooley, et al. Title: A Method And An Apparatus

For Forming A One-Piece Introducer

Our Ref.: MDXVA-69US-114

FAX NO.:

1-703-872-9306

TOTAL PAGES: 9 (including cover sheet)

MESSAGE/COMMENTS:

Thank u

**OFFICIAL** 

Attached please find a Transmittal and Response to Final Office Action in the abovecaptioned matter. Entry of the Response is requested. A three month extension fee in the amount of \$930.00 is believed due herefor and should be deducted from our Deposit Account No. 23-2000. If any additional fee is required, the Office is authorized to make that charge to our account.

Gtóskittan, Esq., Reg. No. 29,799

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I hereby certify that this correspondence and the enclosures are being transmitted via facsimile to Mail Stop AF, Commissioner for Patents, at facsimile number (703) 872-9306 on August 5 2004.

Kurt L Grossman, Esq., Reg. No. 29,799

Date

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:

09/753,355

Filed:

December 29, 2000

Group Art Unit:

3743

Examiner:

Amanda R. Flynn

Applicant:

William F. Pooley, et al

Title:

A METHOD AND AN APPARATUS FOR FORMING

A ONE-PIECE INTRODUCER

Atty Docket:

56301P551 (now MDXVA-69US-114)

Confirmation No.:

Cincinnati, Ohio 45202

August 5, 2004

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL

- 1. Transmitted herewith is an Amendment in response to the Final Official Action mailed February 20, 2004.
- 2. Small Entity status of this application under 37 C.F.R. 1.9 and 1.27 has been previously established.
  - Enclosed is a verified statement to establish Small Entity status.
  - X Other than a Small Entity.

P.03

(a)

3. The fee has been calculated as shown below:

(Col. 1) Claims Remaining After Amendment		(Col. 2)  Highest No. Previously Paid For		(Col. 3) Extra	SMALL ENTITY		LARGE ENTITY	
					Present Rate	Fee	Present Rate	Fee
TOTAL	11	MINUS	30	·	x \$9	\$	x \$18	\$0
INDEP.	2	MINUS	3		x \$43	\$	x \$86	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+\$145	\$0	+\$290	\$0
TOTALS					TOTAL FEE	\$	TOTAL FEE	\$0

	If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
00	If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in
	this space.
000	If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
	The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.
	X No additional fee for claims is required.
4.	Attached is a check in the sum of \$
	Please charge my Deposit Account No. 23-3000 in the amount of \$  A duplicate copy of this sheet is attached.
5.	The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.
	Complete (a) or (b) as applicable.

Applicant petitions for an extension of time under 37 CFR 1.136 for the

total number of months checked below:

	Extension (months) one month two months X three months four months five months	Fee for other than small entity \$ 110.00 \$ 410.00 \$ 930.00 \$ 1,450.00 \$ 1,970.00	Fee for small entity \$ 55.00 \$205.00 \$465.00 \$725.00 \$985.00				
Extension fee due with this request \$930.00.  If an additional extension of time is required, please consider this a petition therefor.							
	(Check and complete the next item, if applicable)						
<del></del>	An extension for months has already been secured and the fee paid thereof of \$ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$						
OR							
(b)	Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.						
<u>X</u>	If any additional fee for Account No. 23-3000.		of time is required, charge transmittal is attached.				
WOOD, HERRON & 2700 Carew Tower 441 Vine Street Cincinnati, Ohio 452 (513) 241-2324	02-2917	grature of Attornount L. Grossman	ay)				

Reg. No. 29,799